

# Service Area Plan

## Department Of Housing And Community Development

### State Building Code Administration (56202)

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## Service Area Background Information

### Service Area Description

This service area, State Building Code Administration (SBCA), focuses on the development, application, and interpretation of building regulations applicable to conventional buildings and structures as well as to manufactured homes and industrialized or modular buildings. Emphasizing uniformity in regulatory requirements and enforcement reduces building construction and maintenance costs while ensuring an appropriate level of safety in the built environment. Virginia is one of a limited number of states with a uniform set of building codes that are applicable statewide. These codes are adopted by the Board of Housing and Community Development and are enforced locally without amendments by local governments across the Commonwealth. In addition to providing for uniformity, special attention is paid to achieving appropriate levels of safety while keeping the costs of construction and maintenance of structures, especially housing, affordable. The Department emphasizes a systems approach including code development, training and interpretation. DHCD works collaboratively with a diversity of stakeholder organizations representing consumers, building owners and managers, local governments, design professionals, builders, trade organizations and members of the manufactured housing and modular building industries.

Additionally, this service area, through the Jack Proctor Virginia Building Code Academy, provides administrative, technical and code update training concerning the content, intent and application of the Uniform Statewide Building Code and other building and fire safety regulations adopted by the Board of Housing and Community Development. The funding of programs for training of code enforcement personnel and private sector clients are all supported by a statewide surcharge of 1.75% levied on all building permits issued by local building departments.

### Service Area Alignment to Mission

The development and uniform enforcement of regulations that achieve an appropriate level of safety at reasonable cost levels for construction and maintenance provides communities with safe, affordable buildings and structures.

### Service Area Statutory Authority

Code of Virginia §36-70 et seq. Virginia Industrialized Building Safety Law

Code of Virginia §36- 85.2 et seq. Virginia Manufactured Home Construction and Safety Standards Law

Code of Virginia §36-85.16 et seq. Virginia Manufactured Housing Licensing and Transaction Recovery Fund Law

Code of Virginia §36-97 et seq. Virginia Uniform Statewide Building Code Law

Code of Virginia §36-99.01 (C), §36-99-137 (6), (7), §36-139 (14) Virginia Uniform Statewide Building Code Law and §27-97.2 Statewide Fire Prevention Code Law

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#### **Service Area Customer Base**

Customer(s)	Served	Potential
3rd Party Inspectors	50	350
Blasters	457	525
Building and Fire Departments	239	245
Code Enforcers	1,325	4,500
Compliance Assurance Agencies	12	14
Industrialized Building Manufacturers	145	145
Manufactured Home Brokers	8	8
Manufactured Home Manufacturers	50	50
Manufactured Home Retailers	260	260
Trade Associations	36	55

#### **Anticipated Changes In Service Area Customer Base**

The numbers of building and fire officials and their technical assistants are expected to increase at least 2% per year for the next several years, resulting in an increased customer base that will be requesting technical and administrative assistance. An increased production and use of manufactured homes and industrialized buildings will likely result in increased numbers of customers in those industries as well and a possible increase in requests for assistance and consumer complaints.

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#### **Service Area Products and Services**

- Uniform Statewide Building Code (USBC). The Department works with the Board of Housing and Community Development and state and national trade and model code groups to promulgate the USBC and its related codes and regulations. Staff provides technical and administrative assistance regarding the codes to state agencies, design professionals, the construction industry, building owners and managers, and others seeking assistance and information. The State Building Code Technical Review Board hears appeals regarding the application and enforcement of the codes, issues interpretations, and provides recommendations to the Board on amendments to the codes. Other statutory and ad hoc committees provide advice and assistance to the Board and staff on the promulgation and administration of the USBC, Amusement Device Regulations, Certification Standards and related codes and regulations.
- Industrialized Building Safety Regulations. The Department works with the Board and other involved parties to promulgate and carry out administration of the regulations for industrialized or modular buildings. Industrialized buildings certified under this program are accepted in all jurisdictions as meeting the same code requirements as the USBC. Based on reviews of their qualifications and personnel, approved Compliance Assurance Agencies conduct plan reviews and inspections to certify that industrialized or modular buildings are in compliance with Virginia codes. Department staff monitors the design review and inspection performance of the agencies for the agencies' continued approval in the program and provides technical and administrative assistance to local officials regarding the work necessary to complete the structures on site.
- Manufactured Housing Programs. The programs regulating manufactured housing include investigating and handling manufactured home consumer complaints and other duties as the State Administrative Agency (SAA) under the terms of a Cooperative Agreement with the Department of Housing and Urban Development (HUD) and issuing licenses to manufactured housing manufacturers, brokers, dealers and sales persons and carrying out other administrative activities of the Manufactured Housing Licensing and Transaction Recovery Fund Regulations promulgated by the Manufactured Housing Board.
- Provides staff support for the Building Code Academy Advisory Committee.
- Conducts statewide mandatory code update training for code enforcers and private sector clients every three years.
- Operates the Jack Proctor Virginia Building Code Academy.
- Process and issue certifications for code officials, technical assistants, blasters and process blasters criminal background checks.
- Develop administrative and technical training modules.

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#### **Factors Impacting Service Area Products and Services**

- Uniform Statewide Building Code (USBC). Increased numbers of new officials and technical assistants will necessitate increased staff response to requests for assistance and training. DHCD staff must continue to participate in the development of the new editions of the International Codes to assure that the content and intent of the model codes remain consistent with the ideals and objectives of the Virginia regulations - to have buildings and structures built and maintained in a safe and affordable manner. Shortages in General Fund allocations to the USBC program has resulted in pulling staff from other programs to provide the services required by our customers in the USBC programs.
- Industrialized Building Safety Regulations. The numbers of manufacturers and the numbers of industrialized or modular building produced has been increasing over the last several years. That trend is expected to continue. In addition, the buildings themselves have become larger and more complex structures, often resulting in additional assistance requests from local enforcement personnel.
- Manufactured Housing Programs. Changes in the federal manufactured housing program impact Virginia's program. Since these programs are self-funding or Special Fund programs, fluctuations or downturns in the industry have an effect on the funding stream for these programs. When fewer manufactured homes are produced and sold, the revenues for the programs are reduced, without an equal reduction in the workloads of the programs.
- Design professionals, homebuilders, contractors and code enforcers all will have to be trained for the 2003 International Existing Building Code to provide the necessary training for the rehabilitation of existing buildings.
- New technical modules will need to be developed for specialized courses covering existing buildings, elevator inspections and accessibility.
- The Building Code Academy Advisory Committee is preparing a long-range plan that is likely to contain recommendations for 16 hours of mandated continuing education every two years for code enforcers funded by proposing an increase to the surcharge permit fee to the full 2% authorized by Law.

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#### Anticipated Changes To Service Area Products and Services

- Uniform Statewide Building Code (USBC). The introduction and adoption of the new International Existing Buildings Code will necessitate training for the SBCA staff to enable staff to train and provide technical and administrative assistance to our customers on the new code. As new editions of the model codes are adopted and implemented in Virginia, SBCA staff will be called on to facilitate the required code update training and to meet increased demands for technical and administrative assistance from an increasing number of code officials and technical assistants.
- Local code enforcement staffs are growing at 2% per year thus increasing the workload for the Training and Certification Office.
- Industrialized Building Safety Regulations. Since industrialized and modular buildings are often transportable and move across state boundaries, the SBCA needs to develop and implement a program for certification and labeling of the existing modular buildings that are brought into Virginia without the Virginia registration seal. This service has been requested by industry representatives and is anticipated to be included in the development of the 2006 edition of the Regulations.
- Manufactured Housing Programs. The federal manufactured housing programs under HUD and the implementation of new federal manufactured housing program components mandated by federal law could have an impact on our programs in Virginia. Model federal manufactured home installation programs and dispute resolution programs are being developed. State programs regarding installation and dispute resolution will have to meet those model programs as a minimum to be acceptable or HUD will be required to implement such programs in any state not meeting the minimum model programs. SBCA staff will monitor the development of the federal models for any adjustments that would be needed to our programs for continued acceptance in the federal program. The licensing program may face some changes resulting from proposed DMV actions to remove the titling of manufactured homes from that agency. Currently, DMV collects a license fee for the Manufactured Housing Board. Another mechanism for the collection of the license fees will need to be developed if DMV stops titling manufactured homes.
- Automation of the registration for all training is essential to track certification and ensure the mandated requirements are being followed by the code officials.
- Communications to all clients electronically through the DHCD website and other links is planned for the Code Connection and expanded data bases for technical assistance, viewing of designated model codes and building a GIS based reporting system.
- Future retirements of key supervisory personnel and senior technical staff and to attract their replacement with highly qualified persons will necessitate a review of compensation and the organizational structure

#### **Service Area Human Resources Summary**

##### **Service Area Human Resources Overview**

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#### Service Area Full-Time Equivalent (FTE) Position Summary

Effective Date: 1/31/2006

Total Authorized Position level ..... 14

Vacant Positions ..... 1

    Non-Classified (Filled)..... 0

    Full-Time Classified (Filled) ..... 13

    Part-Time Classified (Filled) ..... 0

    Faculty (Filled) ..... 0

Wage ..... 4

Contract Employees ..... 0

Total Human Resource Level ..... 17

#### Factors Impacting Service Area Human Resources

#### Anticipated Changes in Service Area Human Resources

#### Service Area Financial Summary

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
<b>Base Budget</b>	\$205,062	\$2,251,156	\$205,062	\$2,251,156
<b>Changes To Base</b>	\$21,102	\$51,496	\$21,102	\$51,496
<b>SERVICE AREA TOTAL</b>	<b>\$226,164</b>	<b>\$2,302,652</b>	<b>\$226,164</b>	<b>\$2,302,652</b>

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**Service Area Objectives, Measures, and Strategies**

**Objective 56202.01**

***To ensure uniformity in the application and enforcement of the building and fire regulations***

**This Objective Supports the Following Agency Goals:**

- Enhance the health and safety of the built environment in a cost effective manner.

**This Objective Has The Following Measure(s):**

● **Measure 56202.01.01**

***Percent of code enforcers certified within the mandated time frames.***

**Measure Type:** Outcome      **Measure Frequency:** Annually

**Measure Baseline:** Limited data in FY 2005 and full data base will be available during FY 2006.

**Measure Target:** Have 90% of code enforcers certified within the mandated time frames in FY 2007 and 97% in FY 2008.

**Measure Source and Calculation:**

Compare the number of code officials and technical assistants reported by local code officials that were hired, terminated or promoted with the registration at the JPVBCA and certifications issued by the number of nationally recognized testing agencies.

● **Measure 56202.01.02**

***Number of customers and code enforcers trained in the use of existing building codes.***

**Measure Type:** Outcome      **Measure Frequency:** Annually

**Measure Baseline:** It is anticipated that eight programs will be offered to at least 500 customers and code enforcers during FY 2006. Several have already been completed.

**Measure Target:** Conduct each year of 2007-2008 at least eight programs for 500 or more private sector customers and code enforcers. Conduct every three years customer survey to determine needs and the effectiveness of the programs.

**Measure Source and Calculation:**

Compare the numbers of private sector customers and code enforcers trained each year with preceding year.

**Objective 56202.01 Has the Following Strategies:**

- Evaluate the effectiveness of the JPVBCA by ensuring there are sufficient numbers of certified and competent code enforcement personnel to adequately enforce the building and fire codes for a safe-built environment.
- Provide adequate numbers of training courses necessary for design professionals, contractors and homebuilders are familiar with the current building and fire code requirements.
- Review for the 2006 USBC the need to increase the levy for the permit surcharge to 2% and ensure adequate funding is available to meet the needs for mandated training; for any continuing educational program that might be implemented; and, for training of our private sector clients.

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#### **Objective 56202.02**

***Ensure the national model building and fire codes are coordinated with our statewide building and fire codes, with code changes submitted from our trade and advocacy groups and any enacted legislation thereby resulting in consensus based code changes.***

#### **This Objective Supports the Following Agency Goals:**

- Enhance the health and safety of the built environment in a cost effective manner.

#### **This Objective Has The Following Measure(s):**

- **Measure 56202.02.01**

***Percentage of the new editions of the international model codes adopted after publication.***

**Measure Type:** Outcome

**Measure Frequency:** Other

**Measure Baseline:** During the last code cycle for the 2003 Edition, 90% of the International Codes were adopted within the 18 month cycle.

**Measure Target:** Complete review and adoption of 100% of the new editions of the International Codes within 18 months of publication.

**Measure Source and Calculation:**

Review new editions of International codes and compare with previous editions for adoption and implementation in Virginia.

#### **Objective 56202.03**

***Carry out administration of the Industrialized Building Safety Regulations for the construction, registration and use of industrialized buildings in a cost effective manner.***

#### **This Objective Supports the Following Agency Goals:**

- Enhance the health and safety of the built environment in a cost effective manner.

#### **This Objective Has The Following Measure(s):**



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- **Measure 56202.03.01**

***Percentage of newly constructed industrialized buildings found to be code compliant.***

**Measure Type:** Output

**Measure Frequency:** Annually

**Measure Baseline:** In FY 2005, 92% of industrialized buildings were in compliance with codes when delivered from the factory to the location for installation and code deficiencies were corrected within 60 days of discovery and notice to the manufacturer.

**Measure Target:** Feedback reports and inspections will result in at least 95% of newly constructed industrialized buildings be code compliant and any code deficiencies will be corrected within 60 days of discovery and notification to the manufacturer.

**Measure Source and Calculation:**

Feedback reports from local code officials regarding industrialized buildings delivered for installation and occupancy in their jurisdictions, staff reviews of plans approved by agencies, and factory compliance inspections by staff.

### **Objective 56202.04**

***Carry out the terms of the Cooperative Agreement with HUD to act as the State Administrative Agency for manufactured housing in Virginia in accordance with the requirements in the Manufactured Home Safety Regulations.***

**This Objective Supports the Following Agency Goals:**

- Enhance the health and safety of the built environment in a cost effective manner.

**This Objective Has The Following Measure(s):**

- **Measure 56202.04.01**

***Percentage of manufactured home consumer complaints closed within 120 days of referral to the manuf:***

**Measure Type:** Output

**Measure Frequency:** Annually

**Measure Baseline:** In FY 2005, 85% manufacturer home consumer complaints were closed within 120 of referral to the manufacturer..

**Measure Target:** Ninety percent of manufactured home complaints will be closed within 120 days of referral to the manufacturer of all required documentation regarding the complaint.

**Measure Source and Calculation:**

Complaints are submitted in writing, date-stamped, referred to all appropriate parties, entered on a complaint log and the responses and correspondence are maintained in files and followed up until all requirements of state and federal regulations are met. The complaint file is then closed.